

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

RONALD GENE PHILIPS JR.,

Plaintiff,

vs.

CITY OF MISSOULA POLICE  
DEPARTMENT, CHIEF JASON  
WHITE, CPT. R. STEPPER, SGT. M.  
HEBERT, OFFICER J. HEBERT,  
OFFICER S. TENNISON, OFFICER  
M. HOFFMAN, and UNIDENTIFIED  
OFFICERS,

Defendants.

CV 21–96–M–DLC–KLD

ORDER

Before the Court is United States Magistrate Judge Kathleen L. DeSoto’s Findings and Recommendation. (Doc. 8.) Judge DeSoto recommends that Plaintiff Ronald Gene Philips Jr.’s complaint be dismissed for failure to prosecute. (*Id.*) Philips has not filed any objections.

A party is only entitled to de novo review of those findings to which he or she specifically objects. 28 U.S.C. § 636(b)(1)(C). In the absence of an objection, this Court reviews findings for clear error. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003); *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Clear error review is “significantly deferential” and exists when the Court is left with a

“definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000) (citations omitted). Reviewing for clear error, the Court finds none.

Accordingly, IT IS ORDERED that Judge DeSoto’s Findings and Recommendation (Doc. 8) is ADOPTED IN FULL.

IT IS FURTHER ORDERED that Philip’s complaint is DISMISSED WITHOUT PREJUDICE, pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute and failure to comply with the Court’s orders.

IT IS FURTHER ORDERED that this Court CERTIFIES any appeal of this matter would not be taken in good faith.

The Clerk of Court shall enter a judgment of dismissal by separate document and close the case file.

DATED this 31st day of May, 2022.

  
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Dana L. Christensen, District Judge  
United States District Court